

<http://www.unl.edu/DailyNeb>

OPEN BAR:

24 Hours, 7 Days A Week!

- Conveniently Located Minutes From Campus
- Fitness Classes Included In Membership
- OPEN 24 HOURS, 7 DAYS A WEEK!
- Call Today To Schedule Your Tour & Free Visit!

3 MONTH STUDENT RATE:
\$89.95

COTTONWOOD
CLUB

475-3386

Former UNL professor silent after his firing

By LINDSAY YOUNG
Senior staff writer

The UNL English professor who became a target of criticism and center of attention last semester has been quieter since he was fired.

The university revoked David Hibler's tenure and terminated his employment on June 20.

But contrary to his affinity for press conferences and publicity stunts, he has been silent in public and in the courts.

NU Attorney Richard Wood confirmed Monday that Hibler has not countered the firing with any lawsuits.

The NU Board of Regents voted unanimously to accept a committee's recommendation to revoke Hibler's tenure and terminate his employment with the university.

The only lawsuit Hibler filed regarding this case, Wood said, was before the hearing. Hibler filed a suit in Lancaster County District Court requesting a restraining order on the committee that recommends termination of employment, so it couldn't hold a hearing.

"(Hibler) alleges he was denied due process in conjunction with the proceedings leading up to the termination of his employment," Wood said.

His request was denied, Wood said. He said it is doubtful there will be any more proceedings on the case.

The termination of Hibler's employment was not a result of an allegedly racist e-mail he was notorious for sending to more than 300 faculty members and students last spring, Regent Nancy O'Brien of Waterloo said.

The committee found that Hibler was guilty of sexual harassment and poor judgment and that he was unprofessional and insubordinate, O'Brien said.

"My colleagues and I feel that the whole e-mail issue was really a smoke screen created by Dr. Hibler to push the university into a position" where Hibler could say it violated his First Amendment rights, O'Brien said.

The revocation of tenure is not so common, Wood said. In the 1997-98 academic year, three cases were considered in the entire University of Nebraska system.

"That was an unusually large number of cases," he said. On average, only one occurs each year. Some years, there are none.

Right now, Wood said, two cases are approaching the hearing process.

Investigations into Hibler's actions as a professor at the University of Nebraska-Lincoln had been going on for more than a year, she said.

According to Wood, the steps to decide whether to revoke tenure and terminate employment are under the regents' bylaws and work as follows:

The bylaws state that any administrator within the university can request that NU President Dennis Smith conduct an investigation as to whether adequate cause exists to terminate employment of a tenured faculty member.

The university then hires an outside attorney to conduct this inquiry.

That attorney writes a report to Smith. If this report concludes that adequate cause exists, the president directs the attorney to file a complaint with a special hearing committee constituted under the rules of procedure of UNL's academic rights and responsibilities committee.

The complaint, filed in writing, states what the adequate cause is to terminate the employment.

After the faculty member writes a response to the hearing committee, the university then conducts the hearing.

At the hearing, the university must prove cause exists to terminate a tenured faculty member's employment.

The committee then issues a written report and recommendation to the regents, who, after reviewing the report and the record of the hearing, vote whether to accept the recommendation.

Two former students filed suits against Hibler in federal court last spring.

The first case involved an alleged copyright infringement by Hibler. The student said Hibler posted the student's writing on the Internet without approval. That case was dismissed by the plaintiff this summer.

In the second case, which is still pending, a student alleged that Hibler sexually harassed her and the university mishandled her claims.

The student alleged that Hibler continued to harass her after she filed complaints with the Affirmative Action office.

The sexual harassment case is still in the early stages, and likely will not come to trial until next spring.

Senior staff writer Josh Funk contributed to this report.

HIGH MARKS FROM MORNINGSTAR, S&P, MOODY'S, MONEY MAGAZINE AND BILL.

We take a lot of pride in gaining high marks from the major rating services. But the fact is, we're equally proud of the ratings we get every day from our participants. Because at TIAA-CREF, ensuring the financial futures of the education and research community is something that goes beyond stars and numbers.

We became the world's largest retirement organization by offering people a wide range of sound investments, a commitment to superior service, and

operating expenses that are among the lowest in the insurance and mutual fund industries."

With TIAA-CREF, you'll get the right choices—and the dedication—to help you achieve a lifetime of financial goals. The leading experts agree. So does Bill.

Find out how TIAA-CREF can help you build a comfortable, financially secure tomorrow.

Visit our Web site at www.tiaa-cref.org or call us at 1 800 842-2776.



Ensuring the future
for those who shape it.

*Source: Morningstar, Inc., July 31, 1998. Morningstar is an independent service that uses annual funds and variable annuities. The top 10% of funds in an investment category receive five stars and the next 22.5% receive four stars. Morningstar proprietary ratings reflect historical risk-adjusted performance and are subject to change every month. They are calculated from the account's three-, five-, and ten-year average annual returns in excess of 90-day Treasury bill returns with appropriate risk adjustments, and a risk factor that reflects performance below 90-day T-bill returns. The overall star ratings reflected in above are Morningstar's published ratings, which are weighted averages of the three-, five-, and ten-year ratings for periods ending July 31, 1998. The average (unpublished) ratings for each of the periods are:

	CREF Bond Account Star Rating/ Number of Domestic Equity Accounts Rated	CREF Global Equities Account Star Rating/ Number of International Equity Accounts Rated	CREF Equity Index Account Star Rating/ Number of Domestic Equity Accounts Rated	CREF Growth Account Star Rating/ Number of Domestic Equity Accounts Rated	CREF Real Market Account Star Rating/ Number of Fixed-Income Accounts Rated	CREF Social Choice Account Star Rating/ Number of Domestic Equity Accounts Rated
Rated	4/2,120	4/469	5/2,120	5/2,120	4/719	4/2,120
3-Year	4/1,568	5/236	N/A	N/A	N/A	4/1,568
5-Year	4/674	N/A	N/A	N/A	N/A	N/A

**These top ratings are based on TIAA's exceptional financial strength, claims-paying ability and overall operating performance. Based on assets under management. "Standard & Poor's Insurance Rating Agency, 1998; Lipper Analytical Services, Inc., Lipper Director's Awarded Data, 1998 (Quarterly). CREF certificates and interests in the TIAA Real Estate Account are distributed by TIAA-CREF Institutional and Institutional Services. For more complete information, including charges and expenses, call 1 800 842-2776, extension 5509, for the CREF and TIAA Real Estate Account prospectuses. Read them carefully before you invest or send money.

Get a deli sandwich, chips and a
medium soft drink for just \$3.99



Also available!



12th & "C" Street - 70th & "A" Street

One coupon per person per visit. Void on all planets other than Earth.